



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL CLEANUP

**JAN 12 2011**

The Honorable Chief Allan  
Chairman  
Coeur d'Alene Tribe  
P.O. Box 408  
Plummer, Idaho 83851

Re: Government-to-Government Consultation for the Avery Landing Site

Dear Chairman Allan:

The U.S. Environmental Protection Agency (EPA) wants to offer formal, government-to-government consultation with the Coeur d'Alene Tribe regarding hazardous substances and petroleum contamination concerns at the Avery Landing Site (Site) located near Avery, Shoshone County, Idaho. We recognize our unique legal relationship with Tribal governments as set forth in the United States Constitution, treaties, laws, Presidential orders, and court decisions. Federal policies direct we undertake cleanups that affect tribal lands and resources.

Hazardous substances and petroleum contamination largely associated with the Site's historical use as a railroad roundhouse and maintenance facility are present in subsurface soil and groundwater and are discharging into the St. Joe River. These contaminants pose an actual or potential threat to human health and the environment. EPA is proposing a cleanup action at the Site to address Site-related contamination in a manner that is protective of human health and the environment. We are proposing to accomplish this work via a non-time-critical removal action (NTCRA) conducted by the potentially responsible parties in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and with oversight by the EPA.

Enclosed is a compact disk (CD) with documents in support of the NTCRA. The first CD folder contains a draft final Engineering Evaluation/Cost Analysis (EE/CA) document. The EE/CA documents the nature and extent of contamination, the identification of removal action alternatives, the identification and analysis of removal action alternatives, and a recommended removal action alternative. The second CD folder contains EE/CA supporting historical and technical documents. The third CD folder contains an archaeological survey which documents information about archaeological resources at the Site. We are planning to conduct the NTCRA during the summer of 2011.

EPA is inviting the Coeur d'Alene Tribe to participate in government-to-government consultation with EPA regarding cleanup at the Site. Consultation, as EPA Region 10 uses the term under the Tribal Consultation Framework, means "the process of seeking, discussing, and considering the views of federally recognized tribal governments" in a respectful, meaningful



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two-way communication that works toward consensus reflecting the concerns of the potentially affected federally recognized tribes before EPA makes its final decision or moves forward.

If your Tribal government would like to participate in consultation, please notify Chris Field, Program Manager of the Emergency Management Program, by February 1, 2011. Given the schedule associated with this cleanup action, I ask that you or your representative contact Chris as soon as possible to begin consultation. He can be reached at (206) 553-1674. Earl Liverman is EPA's On-Scene Coordinator for this Site. He is located in our Coeur d'Alene Field Office and may be reached at (208) 664-4858. Earl will make himself available at any time and at your convenience to discuss any technical aspects of the Site and will follow up with your staff to facilitate the consultation.

You are welcome to contact me at (206) 553-1855 or have your staff contact Chris Field or Earl Liverman, if you have any questions regarding this letter of the proposed Site cleanup activities.

Sincerely,



Daniel D. Opalski  
Director

Enclosure

cc: Scott Fields  
Water Resources Program Manager  
Coeur d'Alene Tribe